

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT QUILL,

Plaintiff,

V.

CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware corporation; ST. ELIZABETH'S CATHOLIC CHURCH, a Delaware corporation; Rev. FRANCIS G. DELUCA, individually and in his official capacity; and Rev. MICHAEL A. SALTARELLI, in his official capacity,

Defendants.

C.A. No. 07-435-SLR

Jury Trial Demanded

**DEFENDANT ST. ELIZABETH'S CATHOLIC CHURCH'S
MOTION FOR EXTENSION OF TIME TO ANSWER OR OTHERWISE TO
RESPOND TO THE FIRST AMENDED COMPLAINT**

Defendant, St. Elizabeth's Catholic Church ("St. Elizabeth's"), by and through its undersigned counsel, Mark L. Reardon, Esquire, of Elzufon Austin Reardon Tarlov & Mondell, P.A., hereby moves this Honorable Court for an extension of time to September 28, 2007, in order to file an answer or otherwise to respond to the First Amended Complaint. In support of its Motion, Defendant states:

1. I, Mark L. Reardon, aver that a reasonable effort has been made to reach an agreement with Plaintiff on the matters set forth in this Motion;
2. As of the filing of this Motion, no agreement for an extension of time for Defendant to answer or to otherwise respond to the First Amended Complaint has been reached. St. Elizabeth's request for an extension to September 28, 2007, was denied by Plaintiff's counsel;

3. This suit was first filed and served on Defendant on July 12, 2007;

4. Young Conaway Stargatt & Taylor, LLP was initially retained to represent St. Elizabeth's, and that firm asked for and received from Plaintiff an extension to August 8, 2007, in order to file responsive papers. A subsequent extension to the time to answer the Amended Complaint was set for August 28, 2007;

5. This law firm assumed representation of St. Elizabeth's in early August 2007. Since that time, either Father Dillingham, pastor at St. Elizabeth's, or below-signed counsel were away from their offices for one (1) week on long-standing travel plans;

6. Since being retained, below-signed counsel has initiated preliminary interviews, document searches, and insurance evaluations for claims that date back more than forty (40) years;

7. Below-signed counsel is currently substantially occupied with an accounting malpractice trial in Superior Court. Belfint Lyons & Shuman v. Potts Welding Boiler & Repair Co., C.A. No. 01C-04-046 CLS is scheduled to conclude on September 21, 2007. The press of the imminent trial prevents below-signed counsel from expeditiously and appropriately conferring with representatives of St. Elizabeth's about the necessary responsive pleading to be filed on behalf of St. Elizabeth's. Moreover, based on the nature of the Quill case and the nature of this client engagement, delegation to a law-firm colleague is impractical.

WHEREAS, given St. Elizabeth's recent retention of below-signed counsel's firm to represent its interests, and given the fact that below-signed counsel has initiated several preliminary fact-finding processes, and given that below-signed counsel is deeply

entrenched in preparing for a Superior Court trial in mid-September, St. Elizabeth's respectfully requests that this Honorable Court grant its Motion for an Extension until September 28, 2007, to Answer or Otherwise to Respond to Plaintiff's First Amended Complaint.

Respectfully Submitted,

ELZUFON AUSTIN REARDON
TARLOV & MONDELL, P.A.

/s/ Mark L. Reardon

MARK L. REARDON (#2627)
300 Delaware Avenue, Suite 1700
P.O. Box 1630
Wilmington, DE 19899
(302) 428-3181
mreardon@elzufon.com
Attorney for St. Elizabeth's Catholic Church

Dated: August 27, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT QUILL,

Plaintiff,

V.

CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware corporation; ST. ELIZABETH'S CATHOLIC CHURCH, a Delaware corporation; Rev. FRANCIS G. DELUCA, individually and in his official capacity; and Rev. MICHAEL A. SALTARELLI, in his official capacity,

Defendants.

[illegible]

C.A. No. 07-435-SLR

Jury Trial Demanded

NOTICE OF MOTION

TO ALL COUNSEL OF RECORD:

PLEASE TAKE NOTICE that the undersigned counsel will present the attached Motion to Extend Time to Answer or Otherwise to Respond to Plaintiff's First Amended Complaint at the convenience of this Honorable Court.

/s/ *Mark L. Reardon*

MARK L. REARDON (#2627)

Elzufon Austin Reardon
Tarlov & Mondell, P.A.
300 Delaware Avenue, Suite 1700
Wilmington, DE 19899
(302) 428-3181
Attorney for St. Elizabeth's Church

Dated: August 27, 2007

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ROBERT QUILL,

Plaintiff,

V.

CATHOLIC DIOCESE OF WILMINGTON, INC., a Delaware corporation; ST. ELIZABETH'S CATHOLIC CHURCH, a Delaware corporation; Rev. FRANCIS G. DELUCA, individually and in his official capacity; and Rev. MICHAEL A. SALTARELLI, in his official capacity,

Defendants.

[illegible]

C.A. No. 07-435-SLR

Jury Trial Demanded

ORDER

IT IS HEREBY ORDERED this _____ day of _____, 2007, having read and considered Defendant St. Elizabeth's Catholic Church's Motion for an Extension of Time to Answer or Otherwise to Respond to the First Amended Complaint, that St. Elizabeth's Motion is **GRANTED**.

J.